

JUDGE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,) No. CR16-5110RJB
)
Plaintiff,) **[PROPOSED] ORDER GRANTING**
) **SECOND MOTION TO COMPEL**
v.) **DISCOVERY**
)
DAVID TIPPENS,)
)
Defendant.)

UNITED STATES OF AMERICA,) No. CR15-387RJB
)
Plaintiff,) **[PROPOSED] ORDER GRANTING**
) **SECOND MOTION TO COMPEL**
v.) **DISCOVERY**
)
GERALD LESAN,)
)
Defendant.)

UNITED STATES OF AMERICA,) No. CR15-274RJB
)
Plaintiff,) **[PROPOSED] ORDER GRANTING**
) **SECOND MOTION TO COMPEL**
v.) **DISCOVERY**
)
BRUCE LORENTE,)
)
Defendant.)

1 The defendants having brought a Second Motion to Compel Discovery, and the
2 Court having considered the arguments, memoranda, and evidence presented both in
3 support of and in opposition to the motion, now, therefore,

4 **ORDERS** that the government shall disclose to the defendants the following
5 information:

6 1. Whether the vulnerability that was patched by Mozilla on or about November
7 29, 2016, is related to the NIT code at issue in these cases;

8 2. If the patch and code are related, the date on which the government (or a
9 contractor or agent for the government) learned that the code had been published or
10 otherwise made available to parties other than the FBI.

11 The Court further orders that the defendants be provided with a substitute
12 summary of the pleadings and evidence that have previously been presented to the
13 Court *ex parte*.

14 DONE this _____ day of _____, 2016.

15
16
17 _____
18 JUDGE ROBERT J. BRYAN
19 UNITED STATES DISTRICT JUDGE

20 Presented by:

21 *s/ Colin Fieman*
22 Assistant Federal Public Defender
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